

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

MADELYN RODIER,

Plaintiff,

v.

CHICO'S FAS, INC., et al.,

Defendants.

Civil No. 11-4769 (RBK/AMD)

AMENDED SCHEDULING ORDER

This Matter having come before the Court by way of letter request dated November 1, 2012 from Sebastian B. Ionno, Esquire, counsel for plaintiff, for an Order extending expert discovery and the time within which to file dispositive motions; and it appearing that defense counsel consents to this extension request; and the Court having set the following deadlines for good cause shown:

IT IS this **1st** day of **November 2012**, hereby **ORDERED**:

1. All expert reports and expert disclosures pursuant to FED. R. CIV. P. 26(a)(2) on behalf of plaintiff shall be served upon counsel for defendants not later than **November 19, 2012**. All expert reports and expert disclosures pursuant to FED. R. CIV. P. 26(a)(2) on behalf of defendants shall be served upon counsel for plaintiff not later than **December 26, 2012**. Each such report should be accompanied by the curriculum vitae of the proposed expert witness. No expert opinion testimony shall be admitted at trial with respect to any witness for whom this procedure has not been timely followed. Depositions of proposed expert witnesses shall be concluded by **January 22, 2013**.

For purposes of this Scheduling Order, treating physicians, if any, shall not be considered expert witnesses and shall be treated as fact witnesses who are, however, required to provide reports and records concerning their treatment. However, any doctor who is going to express an opinion as to the cause of a particular condition or as to the future prognosis of a particular condition, shall be considered an expert subject to the requirement of FED. R. CIV. P. 26(a)(2)(B).

The parties shall also exchange, in accordance with the foregoing schedule, written statements identifying all opinion testimony counsel and the parties anticipate will be presented at trial pursuant to F. R. EVID. 701 and Teen-Ed v. Kimball

International, Inc., 620 F.2d 399 (3d Cir. 1980).

2. The telephone status conference on **January 3, 2013 at 10:00 A.M.** shall remain. Counsel for plaintiff shall initiate the telephone call.

3. **Dispositive Motions.** Dispositive motions shall be filed with the Clerk of the Court no later than **February 22, 2013**. Opposition to the motion should be served in a timely fashion. Counsel are to follow L. Civ. R. 7.1, 7.2, 56.1 and 78.1 (Motion Practice - Generally).

4. Any application for an extension of time beyond the deadlines set herein shall be made in writing to the undersigned and served upon all counsel prior to expiration of the period sought to be extended, and shall disclose in the application all such extensions previously obtained, the precise reasons necessitating the application showing good cause under FED. R. CIV. P. 16(b), and whether adversary counsel agree with the application. The schedule set herein will not be extended unless good cause is shown.

THE FAILURE OF A PARTY OR ATTORNEY TO OBEY THIS ORDER MAY RESULT IN THE IMPOSITION OF SANCTIONS UNDER FED. R. CIV. P. 16(f).

s/ Ann Marie Donio

ANN MARIE DONIO
United States Magistrate Judge

cc: Hon. Robert B. Kugler